THE HON'BLE SRI JUSTICE R.SUBHASH REDDY

WRIT PETITION .No.7145 OF 2006

Date:17.08.2006

Ch.Annaji Rao.

----------Petitioner

The A.P. State handlooms Weavers' Cooperative Society Limited and others.

----------Respondents

ORDER:

The petitioner, who is working as an Assistant Salesman in the Andhra Pradesh State Handlooms Weavers' Cooperative Society Limited, has filed this Writ Petition questioning the proceedings, dated 04.02.2006, issued by the second respondent herein, for recovery of an amount of Rs.66,388-77 ps. with interest.

It is stated that the petitioner was posted as an Assistant Salesman to deal with the cloth stocks, and that he has not handed over the cloth stocks to the person concerned, duly accounting the same. On account of the same, an allegation was made against the petitioner that he was responsible for the shortage, and an order of recovery was passed on the ground that he misappropriated a sum of Rs.66,388-77 ps.

Mainly, the writ petition is filed on the ground that the said order was passed without conducting any regular enquiry. But, however, in the counter affidavit filed on behalf of the respondents, it is stated that for the misconduct of the petitioner, already a charge memo, dated 12.04.2006, is issued and steps are being taken to proceed with the enquiry. But, however, in view of the

interim orders of this Court, recovery is stayed.

As much as the impugned order was passed without conducting any enquiry and for the alleged misconduct, a charge memo is already issued to the petitioner, I set aside the order, dated 04.02.2006. But, however, the respondents are permitted to proceed with the enquiry, pursuant to the charge memo issued to the petitioner. It is made clear that it is open for the respondents to pass appropriate orders, with reference to the allegation of misappropriation, in accordance with the rules applicable to the petitioner.

Subject to the above directions, the Writ Petition is disposed of. No order as to costs.

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R.SUBHASH REDDY, J

17.08.2006
JSU

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